

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

M.S., a Minor, by and through his parents and Natural Guardians, MICHELLE M.S. and D.S.,	:	CIVIL ACTION NO. 1:08-CV-2271
	:	
	:	(Judge Conner)
	:	
Plaintiffs	:	
	:	
v.	:	
	:	
FIRST SERGEANT STEVEN T. BARYLA and CEDAR BRIDGE MILITARY ACADEMY,	:	
	:	
	:	
Defendants	:	

ORDER

AND NOW, this 6th day of May, 2009, upon consideration of the motion (Doc. 8) to withdraw as counsel for defendants filed by Tara L. Yodice, Esquire (“Attorney Yodice”), and of the order of court (Doc. 9) dated April 14, 2009, and it appearing that the order (Doc. 9) instructed defendant Steven T. Baryla (“Baryla”) to file a response on or before May 1, 2009 indicating whether he has retained substitute counsel or desires to proceed *pro se*, and that the order (Doc. 9) likewise instructed defendant Cedar Bridge Military Academy (“CBMA”) to file a response on or before the same date apprising the court of the identity of its replacement counsel,¹ and it further appearing that Attorney Yodice served defendants with the order (Doc. 9)

¹While Baryla may represent himself, CBMA, as an organizational entity, “may appear in federal court only through licensed counsel.” Rowland v. Cal Men’s Colony, Unit II Men’s Advisory Council, 506 U.S. 194, 217 (1993); see also Buschmeier v. G&G Invs., Inc., 227 F. App’x 160, 163 n.3 (3d Cir. 2007).

via facsimile and first class mail on April 14, 2009, (see Doc. 10), and that neither Baryla nor CBMA has filed a response thereto, it is hereby ORDERED that:

1. The motion to withdraw (Doc. 8) is GRANTED in part with respect to defendant Baryla. The representation of Attorney Yodice is TERMINATED with respect to Baryla, who shall proceed *pro se* in the above-captioned matter.
2. Defendant CBMA is DEEMED not to oppose Attorney Yodice's motion (Doc. 8) to withdraw as counsel for CBMA. See L.R. 7.6. CBMA shall retain replacement counsel no later than May 15, 2009. Counsel shall enter an appearance in the above-captioned matter immediately upon retention by CBMA. The court will grant Attorney Yodice's motion (Doc. 8) to withdraw with respect to CBMA upon replacement counsel's entry of appearance. **CBMA's failure to comply with the provisions of this paragraph may result in a default judgment of money damages being entered in plaintiffs' favor under Rule 55 of the Federal Rules of Civil Procedure or Rule 83.3.1 of the Local Rules of Court.** Failure to respond to this order may impair CBMA's ability to obtain relief from any judgment or order entered as a result of its forbearance from participation in this matter. See FED. R. CIV. P. 60(b).
3. The Clerk of Court is instructed to serve a copy of this order on Baryla and CBMA via certified mail at the following addresses:

Steven T. Baryla
1358 Hooper Avenue
Toms River, NJ 08753

Cedar Bridge Military Academy
984 Route 166
Toms River, NJ 08753

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge